

UNAPPROVED DRAFT

BOARD OF DENTISTRY

MINUTES

SPECIAL CONFERENCE COMMITTEE "C"

- TIME AND PLACE:** Special Conference Committee "C" convened on November 14, 2008, at 9:20 a.m., at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, Richmond, VA 23233.
- APPROVAL OF MINUTES** Dr. Hall moved to approve the minutes of the Special Conference Committee "C" meeting held on October 10, 2008. The motion was seconded and passed.
- FIRST CONFERENCE** 9:25 a.m.
PRESIDING: Jeffrey Levin, D.D.S.
- MEMBERS PRESENT:** Robert Hall, D.D.S.
Paul Zimmet, D.D.S.
- STAFF PRESENT:** Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, Administrative Assistant
- QUORUM:** All three members of the Committee were present.
- Charles Martin, D.D.S.** Dr. Martin appeared in accordance with a Notice of the Board
Case No.: 104618 dated June 16, 2008. The Committee received statements from Dr. Martin, his attorneys Ken Roeber and John B. Catlett, Jr., and his Office Manager Lisa Turgow and fully discussed the allegations in the Notice with Dr. Martin.
- Closed Meeting:** Dr. Hall moved that the Committee convene in a closed session. The motion was seconded and passed.
- Reconvene:** Dr. Hall moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.
- DECISION:** Ms. Ross reported that the Committee found Dr. Martin in
Case No. 104618 violation for billing Patient A's guarantor in excess of the agreed upon amount and decided to impose a monetary penalty of \$2,5000.00; to require completion of 4 hours of continuing education in treatment planning and 4 hours of continuing education in ethics within 6 months from the date of entry of the Order.

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Dr. Hall moved to adopt the decision of the Committee. The motion was seconded and passed.

SECOND CONFERENCE

PRESIDING:

11:05 a.m.
Jeffrey Levin, D.D.S.

MEMBERS PRESENT:

Robert Hall, D.D.S.
Paul Zimmet, D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, Administrative Assistant

QUORUM:

All three members of the Committee were present.

**Theresa Ton, D.D.S.
Case No.: 115006**

Dr. Ton appeared in accordance with a Notice of the Board dated September 3, 2008. The Committee received statements from Dr. Ton and her attorney Mark Baron and fully discussed the allegations in the Notice with them.

Closed Meeting:

Dr. Hall moved that the Committee convene a closed session. The motion was seconded and passed.

Reconvene:

Dr. Hall moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**DECISION:
Case No. 115006**

Ms. Gaines reported that the Committee determined that a violation of the Board’s statutes and regulations was not established by clear and convincing evidence and dismissed the case. Dr. Hall moved to adopt the decision of the Committee. The motion was seconded and passed.

THIRD CONFERENCE

PRESIDING:

12:15 p.m.
Jeffrey Levin, D.D.S.

MEMBERS PRESENT:

Robert Hall, D.D.S.
Paul Zimmet, D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, administrative assistant

QUORUM:

All three members of the Committee were present.

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**Paul Stasiewicz, D.D.S.
Case No.: 115185**

Dr. Stasiewicz appeared without counsel to discuss the allegations set forth in a Notice of the Board dated September 4, 2008. The Committee received statements from Dr. Stasiewicz and discussed the allegations in the Notice with him.

Closed Meeting:

Dr. Hall moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene:

Dr. Hall moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**DECISION:
Case No. 115185**

Ms. Gaines reported that the Committee determined that a violation of the Board’s statutes and regulations was not established by clear and convincing evidence and dismissed the case. Dr. Hall moved to adopt the decision of the Committee. The motion was seconded and passed.

**FOURTH CONFERENCE
PRESIDING:**

1:05 p.m.
Jeffrey Levin, D.D.S.

MEMBERS PRESENT:

Robert Hall, D.D.S.
Paul Zimmet, D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, Administrative Assistant

**Kevin Jackson, D.D.S.
Case No.: 115786**

Dr. Jackson appeared in accordance with a Notice of the Board dated September 5, 2008. The Committee received statements from Dr. Jackson and his attorney Marc Brown and discussed the allegations in the Notice with them.

Closed Meeting:

Dr. Hall moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene:

Dr. Hall moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**Decision:
Case No.: 115786**

Ms. Ross reported that the Committee found Dr. Jackson in violation during his care and treatment of Patient A in that he failed to properly evaluate the patient’s condition when he took

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bitewing x-rays in November 2005, that were of poor diagnostic quality, and he failed to diagnose and treat multiple sites of decay.

The sanctions reported by Ms. Ross were that the Committee ordered that Dr. Jackson shall be issued a REPRIMAND.

Dr. Hall moved to adopt the decision of the Committee. The motion was seconded and passed.

**FIFTH CONFERENCE
PRESIDING:**

1:55 p.m.
Jeffrey Levin, D.D.S.

MEMBERS PRESENT:

Robert Hall, D.D.S.
Paul Zimmet, D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, Administrative Assistant

**James Bradshaw, D.D.S.
Case No.: 115063**

Dr. Bradshaw appeared in accordance with a Notice of the Board dated July 7, 2008. The Committee received statements from Dr. Bradshaw and his attorney Amanda Kutz and discussed the allegations in the Notice with them.

Closed Meeting:

Dr. Hall moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene:

Dr. Hall moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**Decision:
Case No.: 115063**

Ms. Ross reported that the Committee found Dr. Bradshaw in violation in that during the course of his treatment of Patient A, from in or about 1993 through June 2004, he failed to treat Patient A's severe periodontal disease or to refer the patient for periodontal treatment.

The sanctions reported by Ms. Ross were that the Committee ordered that Dr. Bradshaw shall be issued a REPRIMAND and within six (6) months from entry of the Order, Dr. Bradshaw shall enroll in and successfully complete not less than four (4) continuing education contact hours in risk management.

Dr. Hall moved to adopt the decision of the Committee. The motion was seconded and passed.

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**SIXTH CONFERENCE
PRESIDING:**

2:45 p.m.
Jeffrey Levin, D.D.S.

MEMBERS PRESENT:

Robert Hall, D.D.S.
Paul Zimmet, D.D.S.

STAFF PRESENT:

Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, Administrative Assistant

**Melanie Boone, D.D.S.
Case No.: 113474**

Dr. Boone appeared without counsel to discuss the allegations set forth in a Notice of the Board dated October 10, 2008. The Committee received statements from Dr. Boone and discussed the allegations in the Notice with her.

Closed Meeting:

Dr. Hall moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene:

Dr. Hall moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**Decision:
Case No.: 113474**

Ms. Ross reported that the Committee found Dr. Boone in violation in that on or about December 8, 2005, during her care and treatment of Patient A, a panoramic radiograph was taken that showed evidence of decay affecting tooth #30, which she failed to diagnose and treat.

The sanctions reported by Ms. Ross were that the Committee ordered that within six (6) months from entry of the Order, Dr. Boone, shall enroll in and successfully complete not less than four (4) continuing education contact hours in radiographic diagnosis and four (4) continuing education contact hours in risk management..

Dr. Hall moved to adopt the decision of the Committee. The motion was seconded and passed.

**SEVENTH CONFERENCE
PRESIDING:**

4:10 p.m.
Jeffrey Levin, D.D.S.

MEMBERS PRESENT:

Robert Hall, D.D.S.
Paul Zimmet, D.D.S.

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STAFF PRESENT: Alan Heaberlin, Deputy Executive Director
Gail Ross, Adjudication Specialist
Teresa Parrish, Administrative Assistant

**Laura Ungerman, R.D.H.
Case No.: 112877** Ms. Ungerman did not appear to discuss allegations in accordance with a Notice of the Board dated July 24, 2008. The Committee fully reviewed and discussed the allegations in the Notice.

Closed Meeting: Dr. Hall moved that the Committee convene in a closed session. The motion was seconded and passed.

Reconvene: Dr. Hall moved to certify that only matters lawfully exempted from open meeting requirements under Virginia law were heard, discussed or considered by the Committee. The motion was seconded and passed.

**Decision:
Case No.: 112877** Ms. Ross reported that the Committee found Ms. Ungerman in violation in that, by her own admission, from April 1, 2004 through January 2, 2007, she practiced dental hygiene without possessing a current, active and valid license.

The sanctions reported by Ms. Ross were that the Committee ordered that Ms. Ungerman, shall be issued a REPRIMAND and shall be assessed a monetary penalty of one thousand dollars (\$1000).

Dr. Hall moved to adopt the decision of the Committee. The motion was seconded and passed.

ADJOURNMENT: With all business concluded, the Committee adjourned at 4:45 p.m.

Jeffrey Levin, D.D.S., Chair

Sandra K. Reen, Executive Director

Date

Date